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November 13, 2013

VIA ECF & FACSIMILE

Honorable Shira A. Scheindlin
United States District Court
Southern District of New York
Daniel Patrick Moynihan Courthouse
500 Pearl Street
New York, NY 10007

Re: *In re South African Apartheid Litig.*, Case No. 02-md-1499 (SAS):
Request for Dismissal of Claims against Daimler AG

Dear Judge Scheindlin:

We represent Daimler AG in the above-referenced action and write in connection with the November 7, 2013 Order of the U.S. Court of Appeals for the Second Circuit denying plaintiffs' petition for panel rehearing and rehearing en banc. In light of the Second Circuit's Order, Daimler AG respectfully urges that the claims asserted against it in this action should be dismissed. As the basis for such dismissal, Daimler AG joins in the arguments set forth in the letter submitted by Keith Hummel to your Honor, dated November 13, 2013, on behalf of defendants International Business Machines Corp. and Ford Motor Co.

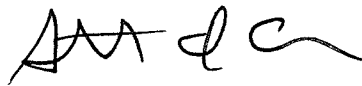
In addition, Daimler AG is a foreign corporation (an *Aktiengesellschaft*, or German public stock company, with its registered office in Stuttgart, Germany) that has been sued by foreign plaintiffs over alleged conduct that occurred entirely abroad and, as such, should be dismissed from this action. *See* Sept. 24 Hearing Tr. at 10-11 (citing *Kiobel v. Royal Dutch Petroleum Co.*, 133 S. Ct. 1659 (2013)).

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Of course, if your Honor believes that formal briefing is required in order to dismiss Daimler AG from this action, Daimler AG will submit such briefing on the schedule directed by the Court.

Respectfully,

A handwritten signature in black ink, appearing to read 'Stewart D. Aaron', with a stylized, cursive script.

Stewart D. Aaron

cc (by email):

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